

REMARKS

Claims 1-5 are pending in the application. Claims 1-5 are rejected.

After entry of the amendment, claims 1-3 and 5 are pending.

Claims 1-3 have been amended to delete reference to a derivative and refer to the formula as a compound

Claim 5 has been amended to recite a method of treatment, as supported, for example, at page 28, lines 20-25.

A. Abstract

The abstract of the disclosure is objected to because it is more than one paragraph. The Examiner points out that the abstract should be in narrative form, generally limited to a single paragraph within the range of 50 to 150 words and should not exceed 15 lines of text. Correction is required.

The abstract has been amended accordingly.

B. Claim Rejections – 35 U.S.C. § 112, Second Paragraph

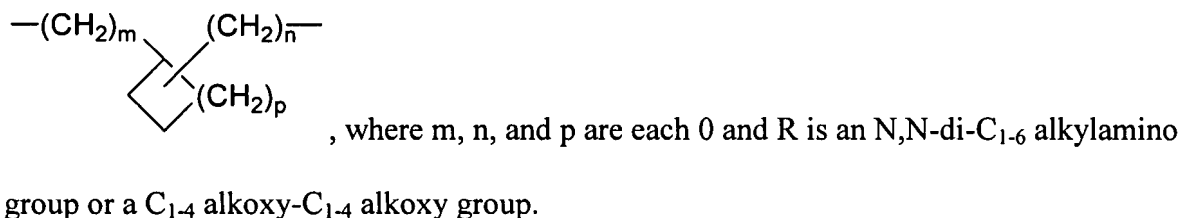
Claims 1-5 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite. In particular, the Examiner asserts that in claims 1 and 2, the term “derivative” is indefinite. According to the Examiner, a derivative is a substance or compound obtained from, or regarded as derived from, another substance or compound. The Examiner states that the rejection can be overcome by replacing the term “derivative” with “compound.”

The claims have been amended as suggested by the Examiner.

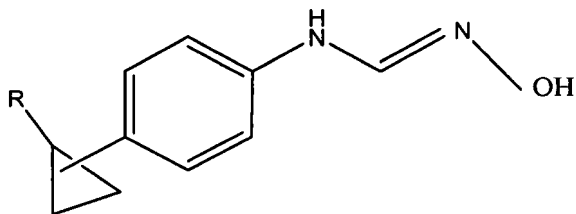
C. Claim Rejections - 35 U.S.C. § 102

Claims 1 and 3-5 are rejected under 35 U.S.C. § 102(b) as being anticipated by WO 01/32164. the Examiner relies on U.S. Patent No. 6,864,254 as an accurate English translation of the WO.

The Examiner asserts that the WO discloses compounds that fall within the compounds of the recited formula when R^1 represents a hydrogen atom, A represents



This rejection is traversed, respectfully, because the reference does not teach the claimed compounds. Specifically, A is either a C₁₋₁₀ alkylene group or a C₃₋₇ cycloalkane group as described at page 5, lines 7-13 of the specification. However, even when m, n and p are each 0 and A is a cyclopropyl group the phenylene moiety does not directly bind to the substituent R. That is, the compounds according to the present invention wherein R^1 is H and m, n, and p are 0 are represented by the following formula:



AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No.: 10/527,716

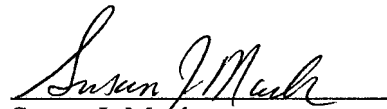
Atty. Docket No.: Q86614

The cited reference does not disclose such compounds.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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CUSTOMER NUMBER

Date: May 1, 2007